

MONIQUE RUE,

Plaintiff,

v.

ALLY FINANCIAL, INC. AND VACO

CHARLOTTE, LLC,

Defendants.

MEMORANDUM AND ORDER

Dismissal and the imposition of monetary sanctions are remedies available under Rule 37 for a party's failure to obey rules governing discovery and orders of the District Court. See Fed. R. Civ. P. 37(b)(2)(C); National Hockey League v. Metro. Hockey Club, 427 U.S. 639, 643 (1976); Mutual Fed. Sav. & Loan v. Richards & Assocs., 872 F.2d 88, 92 (4th Cir. 1989); Wilson v. Volkswagen of America, Inc., 561 F.2d 494, 504-04 (4th Cir. 1977).

Accordingly, the Court warns Plaintiff that failure to respond to Defendants' First Set of Interrogatories and Request for Production of Documents as ordered below or failure to respond to any other of Defendants' reasonable discovery requests, or to otherwise comply fully with any of the Court's Orders, the Local Rules, or the Rules of Civil Procedure may result in the imposition of sanctions. **Sanctions may include Plaintiff being required to pay Defendants' costs, including reasonable attorney's fees in their entirety, and may also include dismissal of the Complaint with prejudice.**

NOW THEREFORE, IT IS ORDERED:

1. "Defendants' Joint Motion to Compel Discovery and for Sanctions Pursuant to Rule 37," Doc. 33, is **GRANTED in part and DENIED in part.**

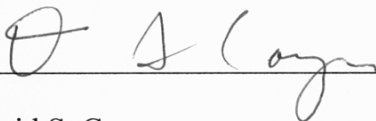
2. Within fifteen days of the date of this Memorandum and Order, Plaintiff shall serve on defense counsel proper responses to Defendant Ally's First Set of Interrogatories and Request for Production of Documents and Defendant Vaco Charlotte LLC's First Set of Interrogatories and Request for Production of Documents, that is make written answers to the interrogatories and identify in writing, and provide copies of, all documents that Defendants have requested.

3. The parties shall bear their own costs at this time.

4. The Clerk is directed to send copies of this Memorandum and Order to the pro se Plaintiff; to defense counsel; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: August 9, 2011



David S. Cayer
United States Magistrate Judge

